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OFFICE OF PETITIONS

In re Application of	:	
Haddad	:	
Application No. 09/803,801	:	ON PETITION
Filed: March 12, 2001	:	
Attorney Docket No. 1	:	

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed December 2, 2011.

The petition under 37 CFR 1.181 is **GRANTED**.

The holding of abandonment is **WITHDRAWN**.

The above-identified application was held abandoned for failure to timely file a court appeal of the Board Decision mailed on October 28, 2011. The Office mailed a Notice of Abandonment on November 2, 2011, noting that the period for seeking court review of the decision had expired.

37 CFR 1.304(a)(1) states in relevant part:

The time for filing the notice of appeal to the U.S. Court of Appeals for the Federal Circuit (§ 1.302) or for commencing a civil action (§ 1.303) is **two months** from the date of the decision of the Board of Patent Appeals and Interferences (emphasis added).

In view thereof, it is obvious that the Notice of Abandonment was prematurely mailed.

The application is being forwarded to Group Art Unit 2611.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions